

State of Arizona
House of Representatives
Forty-ninth Legislature
First Regular Session
2009

House Engrossed
FILED
KEN BENNETT
SECRETARY OF STATE

CHAPTER 104

HOUSE BILL 2375

AN ACT

AMENDING SECTION 8-847, ARIZONA REVISED STATUTES; RELATING TO DEPENDENT CHILDREN.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:

2 Section 1. Section 8-847, Arizona Revised Statutes, is amended to
3 read:

4 8-847. Periodic review hearings

5 A. After the disposition hearing, the court shall hold periodic review
6 hearings at least once every six months as required by federal law.

7 B. At a proceeding to review the disposition orders of the court, the
8 court shall provide the following persons notice of the review and the right
9 to participate in the proceeding:

10 1. The authorized agency charged with the child's care and custody.

11 2. Any foster parents in whose home the child resided within the last
12 six months or resides at present, except for those foster parents who
13 maintain a receiving foster home where the child has resided for ~~thirty~~ TEN
14 days or less. The petitioner shall provide the court with the names and
15 addresses of all foster parents who are entitled to notice pursuant to
16 statute.

17 3. A shelter care facility or receiving foster home where the child
18 resides or has resided within the last six months for more than ~~thirty~~ TEN
19 days. The petitioner shall provide the court with the names and addresses of
20 all shelter care facilities and receiving foster homes that are entitled to
21 notice pursuant to this paragraph.

22 4. The child's parent or guardian unless the parental rights of that
23 parent or guardian have been terminated by court action or unless the parent
24 has relinquished rights to the child to an agency or has consented to the
25 adoption of the child as provided in section 8-107.

26 5. The child, if twelve years of age or older.

27 6. The child's relative, as defined in section 8-501, if that relative
28 files a written notice of right of participation with the court.

29 7. A person permitted by the court to intervene as a party in the
30 dependency proceeding.

31 8. A physical custodian of the child within the preceding six months.

32 9. Any person who has filed a petition to adopt or who has physical
33 custody pursuant to a court order in a foster-adoptive placement.

34 10. Any other person as the court may direct.

35 C. At the first periodic review hearing, the court shall consider
36 whether a parent of a child who is under three years of age has substantially
37 neglected or wilfully refused to participate in reunification services
38 offered by the department.

39 D. At any periodic review hearing, the court shall consider the health
40 and safety of the child as a paramount concern.

1 E. If the court finds that a child is no longer dependent, before it
2 dismisses the proceeding the court shall provide notice of the sibling
3 information exchange program established pursuant to section 8-543 to the
4 following:

5 1. An adult who is the former dependent child in the proceeding for
6 whom the periodic review hearing is held.

7 2. A parent or guardian with legal custody of the former dependent
8 child for whom the periodic review hearing is held.

APPROVED BY THE GOVERNOR JULY 10, 2009.

FILED IN THE OFFICE OF THE SECRETARY OF STATE JULY 13, 2009.